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| Stephen M. De Klerk BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026 | | | EXAMI | EXAMINER | |
| | | | SONG, HOON K | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| Application No. Application No. Application No. Application Appl | | | Application No. | Applicant(s) | | | | |
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| ## Examiner | 9 .• | • | | | | | | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MULLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MULLING DATE of FTHIS COMMUNICATION. The MULLING DATE of FTHIS COMMUNICATION. If the period for reply specified above is less label in privations of 37 CFR 1.138(p). In no event, however, may a reply be timely field after 37 (MONTHS from the maining date of this communication. If the period for reply specified above is less label him) (20) days, a reply within the detailory minimum of the priving days with the constitution of the period for reply specified above is less label him (20) days, a reply within the set of exceeding the period reply and the set of the period of the | Office Action Summary | | | • | | | | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extractors of time may be available under the provisions of 3 CFR 1.13(ig). In on event, however, may a reply be limitely filled if the period for reply is specified above it less than bridry (00) days, a reply within the statutory entered that period (so MONTHS from the unabling date of this communication. Final period for reply is specified above, the meritime statutory period village and will reply its (0,000 MONTHS from the unabling date of this communication. Final period for reply is specified above, the meritime statutory period village and will replies SE(0,000 MONTHS from the unabling date of this communication. Final period for reply is specified above, the meritime statutory period village and will replies SE(0,000 MONTHS) from the unabling date of this communication. Final period date stem adjustment. Sea 37 CFR 1.70(b). **Status** 1) | | - | | | | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extracions of minimary be available under the provisions of 3 CFR 1.15(8), in no event, however, may a raphy be limitly filled If the period for reply specified above is less laben thinky (20) days, a reply within the statutory minimum of thinky (30) days, will be considered timely. If the period for reply specified above, he maximum statutory period will apply and will exploy (50) (MONTHS from the mailing date of this communication. Failure to reply within his set or statedial period for reply will, by statutory minimum of thinky (30) days, will be considered timely. If No period for reply specified above, he maximum statutory period will be period for reply will, by statutory minimum of the first of the mailing date of this communication. Failure to reply within his set or statedial period for reply will, by statutory minimum of the first of the communication, set of the communication. Failure to reply within his set or statedial period for reply will, by statutory minimum of the first of the communication. Failure to reply within his set or statedial period for reply will, by statutory minimum of the first of the communication. Failure to reply within his set or statedial period for reply will, by statutory minimum of the first of the communication. The period of the set of the communication of the communication. Application is FINAL. Application Papers Application Papers Application Papers Application papers The drawing(s) filed on OT February 2002 is/are: a) accepted or b)— objected to by the Examiner. Application papers Application papers Application papers Application papers Application papers Application papers Application from the promity documents have been received by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12)— The oath or declarati | | - The MAILING DATE of this communication app | | | | | | |
| THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CFR 1.13(6). In or event, horsever, may a reply be timely filed after SX (8) MONTIST from the mailing date of this communication. If the period reply specified is not in set them thing (20) days, a reply within the statistory minimum of thing (20) days will be considered irrely. If the period reply voiline fine the law re-indicated of the communication of the period for reply voiline fine statistory minimum of thing (20) days will be considered irrely. False to reply voiline fine set or extended period for reply will by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply recorded by the Office time that there mainting date of this communication, even if firmly filed, may reduce any carried patient term adjustment. See 37 CFR 1.794(s). Status 1) Responsive to communication(s) filled on | Period fo | r Reply | | · | | | | |
| 1) Responsive to communication(s) filed on | THE N - Exten after: - If the - If NO - Failui - Any n earne | MAILING DATE OF THIS COMMUNICATION. sions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period we to reply within the set or extended period for reply will, by statute, apply received by the Office later than three months after the mailing | i6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI | nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133). | | | | |
| 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 44-67 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 07 February 2002 is/are: a □ accepted or b □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received in Application No. □ . 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 □ Altachment(s) 11 □ Notice of References Cited (PTO-892) 30 ○ Notice of Informal Patent Application (PTO-152) | | Decreasive to communication(s) filed an | | | | | | |
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| 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). Notice of Informal Patent Application (PTO-152) | | 1. Certified copies of the priority documents have been received. | | | | | | |
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| | 2) Notice | e of Draftsperson's Patent Drawing Review (PTO-948) | 5) Notice of Informal F | | | | | |

Application/Control Number: 10/071,993

Art Unit: 2882

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 44, 50-59, 63-67, drawn to an X-ray system with gantry, classified in class 378, subclass 195.
- II. Claims 45-48 and 60-62, drawn to specific gantry design, classified in class 378, subclass 199.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the X-ray system does not requires the plenum. The subcombination has separate utility such as a method of source cooling.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Art Unit: 2882

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon K Song whose telephone number is 703-308-2736. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-4858 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

PAVID V. BRUCE PHIMARY EXAMINER

Hoon Song May 1, 2003